HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 8730 of 2007

Dated 24th April, 2007

Between

Gunturi Santosh Kumar

…Petitioner

and
The Principle Secretary, Higher Education
Department, Hyderabad, and ors.

…Respondent.

THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO. 8730 OF 2007

ORDER:

The petitioner is a student of third respondent-college studying first year B.Tech course. He has filed this Writ Petition seeking Writ of Mandamus to direct the respondents to allow him to write the examinations of the first year B.Tech course. It is stated in the affidavit filed in support of the Writ Petition that the college has started function from August, 2006 and he is regularly attending the college, but however, he did not attend the college for about 50 days as he suffered the decease of chukengunia. It is further stated that he has attended the college regularly except for the period stated above and he is having more than the required percentage of attendance and there is no reason for the respondents in not issuing hall ticket to him to write examinations in spite of paying examination fee.

On the other hand, it is submitted by Sri K.Rathangapani Reddy, learned Standing Counsel appearing for the respondent-University that the petitioner is having only 45.2% of attendance in the first year and as such, he is not eligible to write examinations.

As per the academic regulations framed by the respondent-University, a candidate is required to put up minimum attendance of 75%. But however, there is a provision to condone the shortage of attendance to the extent of 10% on medical grounds. If the attendance is less than 65%, there is no provision to condone the shortage of attendance. As much as the petitioner is having only 45.2% of attendance, as per the academic regulations of the respondent-University, the petitioner is not eligible to write the examinations. In this case, the college also issued letter dated 31-3-2006 to the parents of the petitioners regarding shortage of attendance. In that view of the matter, the petitioner did not have requisite attendance and therefore, he is not eligible to write examinations. Though it is submitted by the learned Counsel for the petitioner that the petitioner is attending the college regularly and the college has not marked the attendance of the petitioner properly, but there is no doubt to disbelieve the correctness of the attendance marked by the institution, where the petitioner is studying B.Tech. course. In that view of the matter, as academic regulations are framed requiring minimum attendance to study the course and attend the practicles, no direction can be given to write the examinations for a student who did not fulfill the eligibility criteria.

The Writ Petition is devoid of merits and is accordingly dismissed. No order as to costs.

24-4-2007

Msnr.